

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: February 16, 2012

Agenda Item: Upper Thompson Lake Administrative Rule Petition

Division: Enforcement

Action Needed: Tentative Approval

Time Needed on Agenda for this Presentation: 15 minutes

Background

Upper Thompson Lake is a 294 acre lake located in Lincoln County. It is one of the lakes in the Western Fishing District originally exempted from the 200-foot from shore no-wake rule in 2001. The middle and lower lobes of the lake are limited to a controlled no-wake speed, leaving the upper lobe (106 acres) open with no restrictions. There is limited public access to the lake and several cabin sites along the lake shore. Public usage revolves mostly around angling, but there is recreational boat use on the lake. Enforcement received several complaints regarding personal watercraft usage on the lake last summer and was able to contact violators and issue citations and warnings. Those violations were to homeowners or guest of homeowners on the lake. Enforcement has not conducted additional patrol on the lake to educate and enforce regulations.

Two homeowners on the lake filed a petition requesting a ban of personal watercraft on Upper Thompson Lake. The petition included signatures of additional homeowners who support the ban.

Public Involvement Process & Results

FWP has not solicited public comment on the petition.

Alternatives and Analysis

The FWP Commission has two options: approve the petition and initiate rulemaking or deny the petition. Approving the petition and initiating the rulemaking process will allow for public involvement prior to the commission making a decision to adopt rules. The rulemaking process, which consumes time and resources, is unnecessary if the commission has no intention of adopting a rule. Denying the petition will not allow for the public to provide input, but would allow FWP to attempt to address the problem by increasing enforcement and education efforts in the area. The petitioners can resubmit the petition if these efforts are unsuccessful.

Agency Recommendation & Rationale

FWP recommends the FWP Commission deny the petition. FWP will increase enforcement and education efforts in the area to address the problem before considering a rule to completely ban PWC.

Proposed Motion

I move the Commission deny the petition requesting an administrative rule banning personal watercraft on Upper Thompson Lake.
